

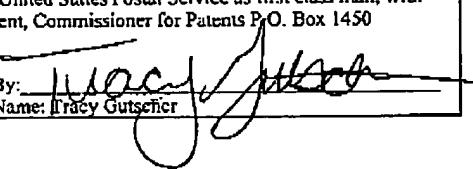
S/N 10/668,764

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	John R. Douceur et al.	Examiner:	George L. Opie
Serial No.:	10/668,764	Group Art Unit:	2194
Filed:	September 23, 2003	Docket No.:	50037.33USD1
Title:	METHOD AND SYSTEM FOR CONTROLLING THE IMPROVING OF A PROGRAM LAYOUT		

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 April 17, 2006.

By:   
Name: Tracy Gutseifer

TERMINAL DISCLAIMER TO OBLIGATE  
A DOUBLE PATENTING REJECTION

Mail Stop Amendment  
Commissioner for Patents  
Attn: Examiner George L. Opie  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The Owner, Microsoft Corporation, a corporation organized and existing under the laws of the State of Washington and having its primary place of business at One Microsoft Way, Redmond, Washington 98052, in the county of King, and the state of Washington represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/668,764, filed on September 23, 2003 and entitled METHOD AND SYSTEM FOR CONTROLLING THE IMPROVING OF A PROGRAM LAYOUT, by virtue of the assignment recorded at Reel 8805, Frame(s) 0662.

The Owner, Microsoft Corporation, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application,

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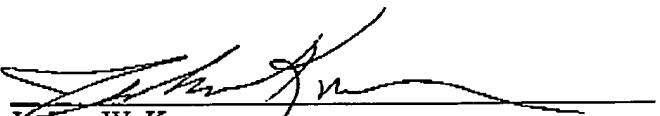
which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,658,648 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,658,648, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, the Owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,658,648, in the event that United States Patent No. 6,658,648 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

April 17, 2006

  
Joshua W. Korver  
Attorney for Applicants